

# **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. DON HARMON

CO-CHAIR:  
REP. MIKE TRYON

EXECUTIVE DIRECTOR:  
VICKI THOMAS



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SEN. BILL BRADY  
SEN. KAREN McCONAUGHAY  
SEN. TONY MUÑOZ  
SEN. IRA SILVERSTEIN  
SEN. CHUCK WEAVER  
REP. TOM DEMMER  
REP. GREG HARRIS  
REP. LOU LANG  
REP. ANDRÉ THAPEDI  
REP. KEITH WHEELER

## **MINUTES**

**September 6, 2016**

### **MEETING CALLED TO ORDER**

The Joint Committee on Administrative Rules met on Tuesday, September 6 at 11:00 a.m. in Room 600C of the Michael A. Bilandic Building, Chicago IL. Co-Chair Harmon called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee meetings. Other persons are encouraged to submit their comments to the JCAR office in writing.

### **ATTENDANCE ROLL CALL**

X Senator Bill Brady	X Representative Tom Demmer
X Senator Don Harmon	X Representative Greg Harris
X Senator Karen McConnaughay	X Representative Lou Lang
X Senator Tony Muñoz	X Representative André Thapedi
X Senator Ira Silverstein	X Representative Mike Tryon
X Senator Chuck Weaver	X Representative Keith Wheeler

Co-Chair Harmon welcomed Senator Weaver to the Committee.

### **APPROVAL OF THE MINUTES OF THE AUGUST 9, 2016 MEETING**

Senator Brady moved, seconded by Senator Weaver, that the minutes of the August 9, 2016 meeting be approved. The motion passed unanimously.

### **REVIEW OF AGENCY RULEMAKINGS**

***Comptroller – Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment (74 Ill. Adm. Code 330; 40 Ill. Reg. 7519)***

***Central Management Services – Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment (74 Ill. Adm. Code 900; 40 Ill. Reg. 6891)***

Senator McConnaughay moved, seconded by Representative Wheeler, that JCAR recommend that CMS and the Comptroller be more timely in reflecting new statutory requirements in their rules. The statute changing the interest payment threshold from 60 to 90 days took effect 6/30/11 and was applicable beginning 7/1/12. The motion passed 11-1-0 (Sen. Brady voted no).

***Community College Board – Administration of the Illinois Public Community College Act (23 Ill. Adm. Code 1501; 40 Ill. Reg. 6923)***

Representative Lang moved, seconded by Representative Thapedi, that JCAR recommend that ICCB be more timely in implementing new statute. PA 96-194, which is being implemented by this rulemaking, became effective 1/1/10. The motion passed unanimously (12-0-0).

***State Universities Civil Service System – State Universities Civil Service System (80 Ill. Adm. Code 250; 40 Ill. Reg. 7537)***

Representative Harris moved, seconded by Representative Demmer, that JCAR, with the concurrence of the State Universities Civil Service System, extend consideration of this rulemaking for an additional 45 days to afford the affected interested parties additional time to clarify the impact of this rulemaking on affected employees. The motion passed unanimously (12-0-0).

***Department of Public Health – Compassionate Use of Medical Cannabis Patient Registry (77 Ill. Adm. Code 946; 40 Ill. Reg. 10992) (Emergency)***

Dr. Nirav Shah, Director, represented the Department.

Representative Lang said that he, Director Shah and Representative Tryon had discussed this rulemaking and that, although he agreed with the rulemaking as a whole, he wanted to clarify two remaining issues.

First, he asked whether it was the Department's view that petitions (for adding new diseases to the list of conditions eligible for medical marijuana) that were filed months before the adoption of Senate Bill 10/PA 99-519 would be reviewed under the law existing at the time that they were filed. Director Shah agreed that this was the case.

Second, Representative Lang asked whether, given the financial burden of the \$300 fee for a 3 year license, applicants would be allowed to apply for a 1-year or 2-year license with a fee of \$100 per year, as an alternative to the 3-year license with a \$250 fee. Director Shah confirmed that this was the case.

Representative Thapedi asked Director Shah why emergency rulemaking was needed. Director Shah said that SB 10 required use of emergency rulemaking for two provisions: adding terminal illness as an eligible condition and defining a "reasonable amount" of cannabis. Beyond that, the Department believed that the nature of the legislation, i.e., compassionate use, indicated the legislature wanted the Department to work quickly to provide eligible recipients, especially those with PTSD, access to medical cannabis as soon as practicable.

Representative Thapedi asked if the IAPA's requirements for emergency rulemaking had been met. Director Shah confirmed that they had been met.

**CERTIFICATION OF NO OBJECTION**

Senator Muñoz moved, seconded by Representative Thapedi, that the Committee inform the agencies to whose rulemakings the Committee has not voted an Objection or Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting

and, based upon the agreements for modification of the rulemakings made by the agencies, no Objections will be issued.

The motion passed unanimously (12-0-0), except that Senator Brady abstained from voting on *Illinois Gaming Board – Video Gaming (General) (11 Ill. Adm. Code 1800; 40 Ill. Reg. 9024)* (11-0-1).

#### **ANNOUNCEMENT OF OCTOBER MEETING DATE**

Co-Chair Harmon announced that the next JCAR meeting would be at 11:00 a.m. on Tuesday, October 11, 2016, in Room 600C of the Michael A. Bilandic Building, Chicago IL.

#### **ADJOURNMENT**

Senator Muñoz moved, seconded by Representative Thapedi, that the meeting stand adjourned. The motion passed unanimously.

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